

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 611 - HB 973

March 19, 2019

SUMMARY OF ORIGINAL BILL: Creates a Class A misdemeanor offense of persuading or influencing, by means other than coercion, a witness or prospective witness in a domestic abuse case to testify falsely, withhold truthful testimony information, or elude legal process.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (005938): Deletes all language after the enacting clause. Creates a Class A misdemeanor offense for a defendant in a criminal case involving domestic assault or a person acting at the direction of the defendant in a criminal domestic assault case to persuade or influence, by means other than coercion, a witness or prospective witness to testify falsely, withhold truthful testimony information, or elude legal process.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 39-11-106(3), coercion means a threat, however communicated to: (1) commit an offense; (2) wrongfully accuse any person of any offense; (3) expose any person to hatred, contempt or ridicule; (4) harm the credit or business repute of any person; or (5) take or withhold action as a public servant or cause a public servant to take or withhold action.
- The proposed legislation creates a Class A misdemeanor offense in a domestic abuse case where a witness is persuaded or influenced by means other than coercion to testify falsely, withhold truthful testimony information, or elude legal process.
- Any increase in caseloads to trial courts can be accommodated within existing resources without an increased appropriation or reduced reversion.

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- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj